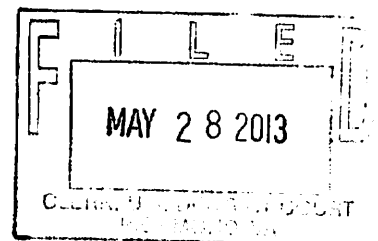


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



WILLIAM BENJAMIN KIERNAN,)
)
Plaintiff,)
)
v.)
)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
)
Defendant.)

Civil Action No. 3:12CV459-HEH

ORDER

(Adopting Report and Recommendation of Magistrate Judge)

THIS MATTER is before the Court on the parties' cross motions for summary judgment (ECF Nos. 10, 13), Plaintiff's Motion to Remand (ECF No. 11), the Magistrate Judge's Report and Recommendation (ECF No. 15), and Plaintiff's objection thereto (ECF No. 18). For the reasons stated in the accompanying Memorandum Opinion, Plaintiff's objection is **OVERRULED**; Plaintiff's Motion for Summary Judgment (ECF No. 10) and Plaintiff's Motion to Remand (ECF No. 11) are **DENIED**; Defendant's Motion for Summary Judgment (ECF No. 12) is **GRANTED**; the Report and Recommendation is **ADOPTED**; and, the decision of the Commissioner is **AFFIRMED**.

The Clerk is directed to forward a copy of this Order and the accompanying Memorandum Opinion to all counsel of record.

This case is **CLOSED**.

It is so **ORDERED**.

Date: May 28, 2013
Richmond, Virginia

HEH /s/
Henry E. Hudson
United States District Judge